

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Judiciary, to which was referred House Bill No. 1083, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, between lines 22 and 23, begin a new paragraph and insert:
2 "SECTION 2. IC 33-4-8-3 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. A senior judge:
4 (1) exercises the jurisdiction granted to the court served by the
5 senior judge;
6 (2) **may serve as a domestic relations mediator, subject to the**
7 **code of judicial conduct;**
8 (3) serves at the pleasure of the supreme court; and
9 (3) (4) serves in accordance with rules adopted by the supreme
10 court under IC 33-2-1-8."
11 Page 2, between lines 39 and 40, begin a new paragraph and insert:
12 "SECTION 4. P.L.107-2000, SECTION 2, IS AMENDED TO
13 READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: SECTION 2. (a)
14 This SECTION applies to the circuit and superior courts of a county
15 having a population of more than three hundred thousand (300,000) but
16 less than four hundred thousand (400,000) in which dissolution of
17 marriage actions are filed.
18 (b) Notwithstanding IC 33-19-5-4, if a county meets the
19 requirements of this SECTION, the clerk of the court shall collect from
20 the party filing a **petition for legal separation, paternity, or**
21 dissolution of marriage action under IC 31 after December 31, 1997,

a civil costs fee of one hundred ~~twenty~~ **twenty-four** dollars ~~(\$120):~~
 (**\$124**). Within thirty (30) days after the clerk collects a fee, the clerk shall forward to the county auditor the difference between the fees collected under this subsection and the fees that would have been collected under IC 33-19-5-4. The county auditor shall deposit the fees forwarded by the clerk under this subsection into the alternative dispute resolution fund of the court for which the fees were collected.

(c) There is established an alternative dispute resolution fund for the circuit court and an alternative dispute resolution fund for the superior court. The exclusive source of money for each fund shall be the fees collected under subsection (b) for the circuit or superior court, respectively. The funds shall be used to foster **domestic relations alternative dispute resolution**, including mediation, reconciliation, **nonbinding arbitration**, and parental counseling. Litigants referred by the court to services covered by the fund shall be required to make a copayment for the services in an amount determined by the court. The funds shall be administered by the circuit or superior court, respectively. Money in each fund at the end of a fiscal year does not revert to the county general fund, but remains in the fund for the uses specified in this subsection.

(d) A county desiring to participate in the program under this SECTION must ~~submit an initial plan to the Indiana judicial conference not later than September 30, 1997: The plan must include information concerning how the county proposes to carry out the purposes of the alternative dispute resolution fund as set out in subsection (c): The judicial conference shall determine from the plan submitted under this subsection whether to approve the county's participation in the program: operate its program in accordance with a plan submitted to the judicial conference.~~ The county may amend the plan ~~submitted under this subsection~~ at any time with the approval of the judicial conference. The judicial conference may request ~~such~~ additional information from the county as necessary. ~~to assist in a determination under this subsection:~~

(e) A county that participates in the program under this SECTION shall submit a report to the Indiana judicial conference not later than ~~December 31, 1999; December 31 of each year~~, summarizing the results of the program. ~~through 1999: The county shall submit a final report to the Indiana judicial conference not later than December 31, 2001:~~

~~(f) This SECTION expires July 1, 2002:".~~

Renumber all SECTIONS consecutively.

(Reference is to HB 1083 as reprinted February 1, 2002.)

and when so amended that said bill do pass .

Committee Vote: Yeas 7, Nays 0.

Senator Bray, Chairperson